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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/972,107	10/05/2001	Stephen F. Sichi	009447	4364
22462	7590	03/14/2005		
GATES & COOPER LLP HOWARD HUGHES CENTER 6701 CENTER DRIVE WEST, SUITE 1050 LOS ANGELES, CA 90045			EXAMINER TIEU, BINH KIEN	
			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 03/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/972,107	SICHI ET AL.	
	Examiner	Art Unit	
	BINH K. TIEU	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see Applicants' remarks, filed 10/28/2004, with respect to the rejection(s) of claim(s) 1-23 being anticipated by Dent (US Pat. #: 6,377,558) and Lee et al. (US Pat. #: 5,874,915) have been fully considered and are persuasive.

Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Collar et al. (US. Pat. #: 6,020,796), Vannatta et al. (US. Pat. #: 5,649,306) and Vaisannen et al. (US. Pat. #: 6,560,443).

Allowable Subject Matter

2. The indicated allowability of claims 12-15, 17, 19, 21 and 23 is withdrawn in view of the newly discovered reference(s) to Collar et al. (US. Pat. #: 6,020,796), Vannatta et al. (US. Pat. #: 5,649,306) and Vaisannen et al. (US. Pat. #: 6,560,443). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent

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granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Collar et al. (U.S. Pat. #: 6,020,796).

Regarding claim 1, Collar et al. ("Collar") teaches an transponder system (i.e., communication satellite shown in figure 3), comprising:

an amplifier network having a plurality of amplifiers (i.e., a plurality of amplifiers 9 and 10);

an antenna network, comprising a plurality of antennae (i.e., a plurality of receiving antennae connected on left side of figure 3 as input to amplifiers 9 and 10, col.1, lines 10-13 and col.2, line 55 – col.3, line 12);

an output switching network, including first output switching network switch (i.e., switch shown in figure 4a-4e), selectably coupling one of the amplifiers to one of the plurality of antennae at a first output switching network switch first switch state (i.e., in first switch position or straight through shown in figure 4B) and to a second output switching network switch in a first output switch network switch second switch state (i.e., in second switch position, the switch connects to other ports as shown in figure 4c and 4e);

wherein the second output switching network switch is selectably coupled to a second one of the plurality of antennae in a second output switching network switch

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first switch state and to a third one of the plurality of antennae in a second output switching network switch second switch state (col.3, lines 20-26 and col.6, lines 6-19).

Regarding claim 2, note col.3, lines 20-26 and lines 46-59; and col.6, lines 6-19.

Regarding claim 3, note col.3, lines 46-59.

Regarding claim 4, note col.3, line 63 – col.4, line 18.

Regarding claims 5-9, note col.3, line 60 – col.4, line 10.

Regarding claim 10, note col.1, lines 10-12. It should be understood that there are a plurality of receiving antennae connected to input ports (ports on the left side of figure 3) and a plurality of transmitting antennae connected to outputs (ports on right side of figure 3).

Regarding claim 11, Collar teaches a network, as shown in figure 3, comprising:

an first device network having a plurality of first devices (i.e., input ports on the left side of figure 3);

an section device network having a plurality of second devices (i.e., output ports on the right side of figure 3);

a single rail output switching network, communicatively coupling any of the second devices with any of the first devices (i.e., row of switches 5, row of switches 6, row of switches 7 or row of switches 8).

Regarding claim 12, note col.4, lines 48-67.

Regarding claims 13-15, note col.3, line 60 – col.4, line 10.

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Regarding claim 17, note col.1, lines 10-12. It should be understood that there are a plurality of receiving antennae connected to input ports (ports on the left side of figure 3) and a plurality of transmitting antennae connected to outputs (ports on right side of figure 3).

Regarding claim 18, Collar teaches a method of providing a signal to any one of a plurality of output devices, comprising the steps of:

receiving the signal in a first switch;

selectably coupling the signal to a first output device or a second switch via a first switch according to a first switch selection (see figure 4b, col.3, lines 20-22); and

selectably coupling the signal from the first switch to a second output device or a third output device if the signal is not coupled to the first output device via the second switch according to a second switch selection (see Fig. 4c and 4e, col.3, lines 22-33).

Regarding claim 19, note col.3, lines 26-30.

Regarding claim 20, Collar teaches an apparatus for providing a signal to any one of a plurality of output devices, comprising:

a first switch for receiving the signal and for selectably coupling the signal to a first output device or a second switch via the first switch according to a first switch selection (see figures 4a, 4e or 4e);

a second switch for selectably coupling the signal from the first switch to a second output device or a third output device if the signal is not coupled to the first output device via the second switch according to a second switch selection (see figure 4b, 4c or 4e, col.3, lines 20-22; col.6, lines 6-19).

Regarding claim 21, note col.3, lines 26-30.

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Regarding claim 22, Collar teaches an apparatus for providing a signal to any one of a plurality of output devices, comprising:

means for receiving the signal;

means for selectably coupling the signal to a first output device or a second selectably coupling means (see figure 4b, col.3, lines 20-22), wherein the second selectably coupling means selectably coupling the signal from the first selectably coupling means to a second output device or a third output device if the signal is not coupled to the first output device (see Fig. 4c and 4e, col.3, lines 22-33).

Regarding claim 23, note col.3, lines 26-30.

5. Claims 11, 18 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Vannatta et al. (U.S. Pat. #: 5,649,306).

Regarding claim 11, Vannatta et al. ("Vannatta") teaches a network, as shown in figure 5, comprising:

an first device network having a plurality of first devices (i.e., a network having input switch 130, antennae 106, speaker 178 and microphone 182);

an section device network having a plurality of second devices (i.e., a network having input switch 121, antennae 112 and 113);

a single rail output switching network, communicatively coupling any of the second devices with any of the first devices (i.e., switch 130 connected to the other post to connect one of antennae 112 and 113 to one of speaker 178 and microphone 182).

Regarding claim 18 and 20, the limitations of the claims are rejected with the same reasons set forth in claim 11 above.

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6. Claims 11, 18 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Vaisanen et al. (U.S. Pat. #: 6,560,443).

Regarding claim 11, Vaisanen et al. teaches a network, as shown in figures 1 and 2, comprising:

an first device network having a plurality of first devices (i.e., a network having switch SW1, antenna ANT1, WLAN TX of WLAN 11);

an section device network having a plurality of second devices (i.e., a network having switch SW2, antennae ANT2 and WLAN TX of WLAN 11);

a single rail output switching network, communicatively coupling any of the second devices with any of the first devices (i.e., switch SwB in a position so that ANT 1 is connected to the WLAN RX through filter FL1 and amplifier as shown in figure 2).

Regarding claim 18 and 20, the limitations of the claims are rejected with the same reasons set forth in claim 11 above.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (703) 305-3963 and E-mail address: BINH.TIEU@USPTO.GOV.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (703) 305-4708 and **IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL Customer Service at (703) 306-0377 FOR THE SUBSTITUTIONS OR COPIES.**

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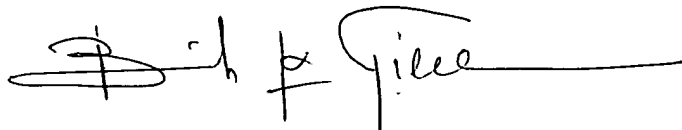
Any response to this action should be mailed to:

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Washington, D.C. 20231

Or faxed to:

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Hand-delivered responses should be brought to Crystal Park II, 2121
Crystal Drive, Arlington VA, Sixth Floor (Receptionist, tel. No. 703-
305-4700).

A handwritten signature in black ink, appearing to read "Binh Tieu", with a long horizontal flourish extending to the right.

BINH TIEU
PRIMARY EXAMINER

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Date: March 10 2005